

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ANTHONY KISER,

Plaintiff,

vs.

PRIDE COMMUNICATIONS, INC. and CRAIG
LUSK,

Defendants.

2:11-cv-00165-JCM-VCF

**REPORT AND RECOMMENDATION TO
AWARD PLAINTIFFS' COUNSEL
ATTORNEY FEES AND COSTS AND
ENHANCEMENT PAYMENT TO THE
REPRESENTATIVE PLAINTIFFS**

Before the court is Plaintiff's Unopposed Motion For an Order Granting Proposed Award of Attorneys' Fees and Enhancement Payment to the Representative Plaintiffs (#139).

No opposition has been filed. Pursuant to Local Rule 7-2(d), [t]he failure of an opposing party to file points and authorities in response to any motion shall constitute a consent to the granting of the motion.

Additionally, the court finds that good cause exists to recommend the relief requested by the motion. The settlement terms preliminarily approved by the court included awards of attorneys' fees in an amount not to exceed \$48,000; an award of costs not to exceed \$9,000; and named plaintiff awards of \$5,000 each for Anthony Kiser and Brian Izumi (Docket #133, page 40 of 92). All class members were advised of the proposed award of fees and costs and the enhancement award in the notices mailed to them (#133, p. 60 of 92 and #137). The time to file objections to the proposed settlement has expired.

The court has reviewed the documentation presented by plaintiffs in support of these awards and the awards appear reasonable under the circumstances.

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1 Accordingly, IT IS HEREBY recommended that Plaintiff's Unopposed Motion For an Order
2 Granting Proposed Award of Attorneys' Fees and Enhancement Payment to the Representative Plaintiffs
3 (#139) be granted as follows:

4 Class Counsel should be awarded \$48,000 in attorney fees to be paid from the total settlement fund
5 of \$135,000; Class counsel should also awarded \$8,238.18 to be paid from that same fund; and named
6 plaintiffs Anthony Kiser and Brian Izumi should be awarded \$5,000 each from that same fund.

7 DATED this 10th day of December, 2014.

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10 CAM FERENBACH
11 UNITED STATES MAGISTRATE JUDGE
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